

REMARKS

The undersigned thanks the Examiner for the courtesies extended during the telephone interview of October 4, 2005. Prior to the interview, the undersigned faxed a draft copy of the Amendment. The Examiner recommended correcting a typographical error in claim 17. Otherwise, the Examiner said that the pending Amendment takes care of the pending rejection under 35 USC 112, second paragraph, and over Ross.

Claims 1-5, 13 and 15 have been withdrawn.

Claim 16 is fully supported by the specification, in particular, paragraph [0016]. Claim 21 is fully supported by the specification in paragraph [0021].

Claim 17 was rejected under 35 USC 112, second paragraph. This rejection should be withdrawn in light of this Amendment.

Claims 16-17 were rejected as being obvious over Ross. This rejection is respectfully traversed.

Let us carefully review Ross and see what it actually discloses. Ross discloses three embodiments. See column 2, line 16- column 3, line 65 of Ross. Out of these three embodiments, embodiment three is outside the scope of the claimed invention because it relates to just a sputter coated NiP layer (see column 3, lines 29-31 of Ross), not a “composite nickel coating comprising a sputter deposited nickel layer and an electrolessly deposited nickel layer” as recited in claim 16.

Embodiments one and two relate to an electrolessly deposited NiP layer on a sputter deposited initiation layer of Zn, Ni, and other elements and alloys listed in column 2, lines 20-21, of Ross. However, Ross clearly states for both embodiment one and two that “[t]he NiP layer is

then polished and *laser textured*.” [Emphasis added.] Nowhere does Ross disclose “wherein the top surface of the composite nickel coating is a non-polished surface having a surface roughness (Ra) less than about 10 Å with the magnetic recording layer thereon, wherein the surface roughness (Ra) is averaged over the entire surface of the top surface of the composite nickel coating” as recited in claim 16. Persons of ordinary skill in this art would recognize that laser texturing the NiP layer of Ross would result in the formation of bumps on the surface of the NiP layer as shown in Figures 2A, 2B and 5 of Ross. The minimum bump height in the NiP layer of Ross is at least about 7 nm, i.e., about 70Å (see curve 80 of Figure 9 of Ross). As such the laser textured NiP layer of Ross simply cannot have “a surface roughness (Ra) less than about 10 Å with the magnetic recording layer thereon, wherein the surface roughness (Ra) is averaged over the entire surface of the top surface of the composite nickel coating” as recited in claim 16.

The Examiner states that “Ross et al. teach that it is preferred in their invention to provide a NiP surface that is smooth” and that Ross “is silent with respect to the specific values of Ra.” Please see page 4, lines 6 and 8 of the Action. Both these quoted statements of the Examiner need clarification.

Ross teaches that “[i]t is desirable to deposit the layer of material *to be laser textured* such that it has a smooth surface.” [Emphasis added.] Please see column 3, lines 60-65, which has been relied upon by the Examiner to argue that Ross et al. teach that “it is preferred in their invention to provide a NiP surface that is smooth.” Applicants agree that the NiP layer of Ross *before* it is laser textured could be smooth. However, after the NiP layer of Ross is laser textured, it is *not* smooth. Instead, it has bumps such that the NiP layer does *not* have “a surface roughness (Ra) less than about 10 Å with the magnetic recording layer thereon, wherein the

surface roughness (Ra) is averaged over the entire surface of the top surface of the composite nickel coating” as recited in claim 16.

The Examiner other statement that Ross “is silent with respect to the specific values of Ra” is correct, but does *not* lead to the conclusion arrived upon by the Examiner that “the reference is suggestive of a range of Ra that is as low as 0Δ.” Please see page 4, lines 8 and 9 of the Action. As explained above, Ross teaches a *textured* NiP layer and further discloses that the minimum bump height in the NiP layer was about 70Å. Persons of ordinary skill in this art would recognize that the minimum value of Ra of the laser textured NiP layer of Ross would have been at least about 70Å. Thus, Applicants respectfully submit that the Examiner’s position that Ross “is silent with respect to the specific values of Ra” is correct, but the conclusion thereafter that “the reference is suggestive of a range of Ra that is as low as 0Δ” is incorrect.

In light of this Amendment, a Notice of Allowance is respectfully solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing attorney docket no. **146712011100**.

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Respectfully submitted,

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